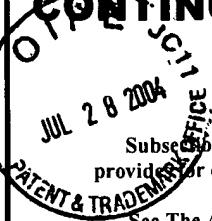


**REQUEST****FOR****CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

<i>Application Number</i>	09/960,244
<i>Filing Date</i>	September 21, 2001
<i>Confirmation Number</i>	4326
<i>First Named Inventor</i>	Tony W. Ho
<i>Group Art Unit</i>	1651
<i>Examiner Name</i>	Vera Afremova
<i>Attorney Docket Number</i>	2831.2003-000

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [ ]. (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on [ ].
  - iii.  Other - [ ]
- b.  Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [ ].
- c.  Enclosed
  - i.  Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Petition for Extension of Time - one month with copy
  - v.  Other -- Sixth and Seventh Supplemental Information Disclosure Statements and date-stamped postcards for the Sixth and Seventh Supplemental Information Disclosure Statements.

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [ ] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other -- [ ].

**3. Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a.  A check is enclosed for the following fees in the total amount of \$[ 880.00 ]

OR

- Authorization is granted to charge the following fees in the total amount of \$[ ] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes
  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 07/29/2004 HAL111 00000044 09960244
  - iii.  Amendment Fee 01 FC:1801 770.00 OP
  - iv.  Other -- [ ].

- b.  Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Mary K. Murray	Registration No. (Attorney/Agent)	47,813
Signature	<i>Mary K. Murray</i>		

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Jennifer Warner		
Signature	<i>Jennifer Warner</i>	Date	7-26-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tony W. Ho, Gene C. Kopen, William F. Righter, J. Lynn Rutkowski, and Joseph Wagner

Application No.: 09/960,244 Group: 1651

Filed: September 21, 2001 Examiner: Vera Afremova

Confirmation No.: 4326

For:

CELL POPULATIONS WHICH CO-EXPRESS CD49C AND CD90



CERTIFICATE OF MAILING OR TRANSMISSION	
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7-26-04	Jennifer Warner
Date	Signature
Jennifer Warner	
Typed or printed name of person signing certificate	

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply for filing in the above-identified application.

[ ] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[ ] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				
TOTAL	90	MINUS	*	99	0				
INDEP	22	MINUS	**	22	0				
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM									
X	\$ 9	\$				RATE	ADDET. FEE		
X	\$43	\$							
+	\$145	\$							

\* not fewer than 20

\*\* not fewer than 3

TOTAL = \$ 0

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$ _____
<input type="checkbox"/>	Amendment Fee	\$ _____
<input type="checkbox"/>	Other Fees:	\$ _____
		\$ _____
		\$ _____
		\$ _____
		TOTAL: \$ <u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for one month Extension of Time	\$ <u>110</u>
<input type="checkbox"/>	Amendment Fee	\$ _____
<input checked="" type="checkbox"/>	Other Fees:	\$ _____
	Request for Continued Examination	\$ <u>770</u>
		\$ _____
		\$ _____
		TOTAL: \$ <u>880</u>

A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mary K. Murray  
 Mary K. Murray  
 Registration No.: 47,813  
 Telephone (978) 341-0036  
 Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated:

*July 26, 2004*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Tony W. Ho, Gene C. Kopen, William F. Righter, J. Lynn Rutkowski and Joseph Wagner

Application No.: 09/960,244 Group: 1651

Filed: September 21, 2001 Examiner: Vera Afremova

Confirmation No.: 4326

For: CELL POPULATIONS WHICH CO-EXPRESS CD49C AND CD90



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7-26-04	Signature
Date	Signature
Jennifer Wagner	
Jennifer Wagner	
Typed or printed name of person signing certificate	

REPLY

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Reply to an Office Action Made Final mailed from the U.S. Patent and Trademark Office on March 24, 2004. This Reply accompanies a Request for Continued Examination (RCE) along with a Petition to Extend the Shortened Statutory Period for filing a Notice of Appeal for one month, from June 24, 2004 to July 24, 2004.